

## MINUTE ORDER

CASE NUMBER: CIVIL NO. 20-00269 LEK-KJM

CASE NAME: Leihinahina Sullivan vs. Federal Bureau of Prisons et al.,

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JUDGE: Leslie E. Kobayashi

DATE: 05/10/2021

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COURT ACTION: EO: COURT ORDER DENYING DEFENDANTS' MOTION FOR RECONSIDERATION

On December 21, 2020, Defendants Office of the United States Attorney for the District of Hawai'i and Federal Bureau of Prisons ("Defendants") filed their Motion to Dismiss the Second Amended Complaint [ECF No. 25] ("Motion to Dismiss"). [Dkt. no. 28.] On April 19, 2021, the Motion to Dismiss was denied. [Order Denying Defendants' Motion to Dismiss the Second Amended Complaint, Filed 12/21/20 [Dkt. No. 28], filed 4/19/21 (dkt. no. 38) ("4/19/21 Order").] On May 3, 2021, Defendants filed their motion for reconsideration of the 4/19/21 Order ("Motion for Reconsideration"). [Dkt. no. 39.] This matter is suitable for disposition without a hearing and without further briefing. See Local Rule LR7.1(d) (listing motions for reconsideration among the motions that "shall be decided without a hearing"); Local Rule LR60.1 (stating no memorandum in opposition to a motion for reconsideration and no reply in support of a motion for reconsideration "shall be filed unless directed by the court").

"Motions for reconsideration of interlocutory orders may be brought only upon the following grounds: (a) Discovery of new material facts not previously available; (b) Intervening change in law; and/or (c) Manifest error of law or fact." Local Rule LR60.1.

Defendants argue that the 4/19/21 Order constitutes manifest error of law. However, "[m]ere disagreement with a previous order is an insufficient basis for reconsideration." Riley v. Nat'l Ass'n of Marine Surveyors, Inc., Civil No. 14-00135 LEK-RLP, 2014 WL 4794003, at \*1 (D. Hawai'i Sept. 25, 2014) (quoting Davis v. Abercrombie, Civil No. 11-00144 LEK-BMK, 2014 WL 2468348, at \*3 n.4 (D. Hawai'i June 2, 2014)). Therefore, the Court finds that grounds for reconsideration have not been established.

For the foregoing reasons, Defendants' Motion for Reconsideration is DENIED.

IT IS SO ORDERED.

Submitted by: Agalelei Elkington, Courtroom Manager